

CPG #NM-723

Order entered: 9/2/2009

In accordance with Board Rules and the net metering application requirements, parties requesting a hearing regarding a net metering project must make a showing the application raises a significant issue regarding one or more of the substantive criteria under 30 V.S.A. § 248. The general concerns regarding the siting of the project in a rural farming area do not raise a

significant issue under any of the criteria specified in § 248. In addition, Board Rules require the applicant to notify only those landowners adjoining the project location, not every landowner who might have a view of the project. Therefore, because the Letorneaus have not shown that the project raises a significant issue, and the application has been properly noticed, the Letorneaus' request for a hearing in this matter is denied.

No comments have been received from any other parties or interested persons.

The Board has reviewed the application and accompanying documents and agrees that, pursuant to 30 V.S.A. §§ 219a and 248 and the Board's Rule 5.100, a CPG should be issued without further investigation or hearing.

II. FINDINGS

Based upon the application and its accompanying documents, the Board makes the following findings in this matter.

1. The proposed net metering project is located on property owned by the Applicants at 5141 Nelson Hill Road in Derby, Vermont. Application at Section 1 and Attachment.
2. The wind turbine has a tower height of 140 feet and a rotor diameter of 23 feet. Application at Section 5.
3. The proposed project consists of a wind turbine system with a system-rated power output of 9.5 kW AC. The facility will be interconnected with the Vermont Electric Cooperative, Inc. electrical distribution system. Application at Section 5, and Attachment.
4. Applicants have certified that the project is in compliance with all of the provisions of Sections 3 and 8 of the application. Based on these submissions, we conclude that the project does not raise a significant issue with respect to the environmental criteria of 30 V.S.A. § 248. Application at Sections 3 and 8.
5. Applicants have certified compliance with the insurance requirements as set forth in Section 3 of the application. Application at Section 3.

III. CONCLUSION

In Docket No. 6181,¹ the Board developed a net metering program in accordance with the statutory requirements of 30 V.S.A. § 219a. This program was further refined by the Board with the adoption of Board Rule 5.100. The goals of the Order and Rule are to encourage private investment in renewable energy resources, stimulate the economic growth of the state and enhance the continued diversification of energy sources used in Vermont. The standards and requirements adopted in the Order and Rule have been determined by the Board to protect public safety and system reliability.

Based upon the findings and evidence, the proposed net metering project will be in compliance with the requirements of the Board's Order in Docket No. 6181 and Rule 5.100, the application does not raise a significant issue with respect to the substantive criteria of 30 V.S.A. § 248, and the proposed project will promote the general good of the state.

IV. ORDER

IT IS HEREBY ORDERED, ADJUDGED AND DECREED by the Public Service Board of the State of Vermont that the proposed wind turbine net metering system, in accordance with the evidence and plans submitted in this proceeding, will promote the general good of the State of Vermont pursuant to 30 V.S.A. § 219a, and a certificate of public good to that effect shall be issued in this matter, pursuant to 30 V.S.A. §§ 219a and 248.

1. *Investigation into the Use of A Net Metering System for the Purchase and Sale of Electricity from Small Electrical Generating Systems to and from Electric Companies*, Docket No. 6181, April 21, 1999.

DATED at Montpelier, Vermont, this 2nd day of September, 2009.

<u>s/James Volz</u>)	
)	PUBLIC SERVICE
)	
<u>s/David C. Coen</u>)	BOARD
)	
)	OF VERMONT
)	

OFFICE OF THE CLERK

Filed: September 2, 2009

Attest: s/Susan M. Hudson
Clerk of the Board

NOTICE TO READERS: This decision is subject to revision of technical errors. Readers are requested to notify the Clerk of the Board (by e-mail, telephone, or in writing) of any apparent errors, in order that any necessary corrections may be made. (E-mail address: psb.clerk@state.vt.us)

Appeal of this decision to the Supreme Court of Vermont must be filed with the Clerk of the Board within thirty days. Appeal will not stay the effect of this Order, absent further Order by this Board or appropriate action by the Supreme Court of Vermont. Motions for reconsideration or stay, if any, must be filed with the Clerk of the Board within ten days of the date of this decision and order.